SHRI K. NATWAR SINGH: Madam, we are in touch with the Bangladesh authorities with regard to the Chakma problem but here again, if I may respectfully submit, we should confine ourselves to the matter raised in this question.

Child Labour

*202. PROF. B. RAMACHANDRA RAO:†
SHRI VITHALRAO MADHAVRAO JADHAV:

Will the Minister of LABOUR be pleased to state:

(a) what is the estimated number of child labour in the country at present;

(b) how many of them are working in factories, mines and other hazardous occupations;

(c) whether the Child Labour Bill passed by Parliament has been implemented to prevent the pernicious social evil of exploitation of children;

(d) whether the ban on employment of children below 14 years in specified occupations has been implemented; and

(e) if so, whether the Union Government have set up any rehabilitation centres for the exploited children?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR (SHRI P. A. SANGMA): (a) to (e) A statement is laid on the Table of the House.

Statement

According to the Planning Commission's estimates the total number of child workers in the country as on March, 1985 was 17.58 million.

No accurate figures of children working in factories, mines and other hazardous occupations are available. The Child Labour (Prohibition and Regulation) Act, 1986 is in force with effect from 23rd December, 1986. The State Governments have been addressed to enforce the Child Labour Act strictly.

The Schedule to the Child Labour (Prohibition and Regulation) Act, 1986 specifically includes the processes and occupations in which child labour is banned. Along with the coming into force of the Act, the ban on employment of children in specific occupations has also come into effect.

The Union Government have not so far directly set up any centres for the rehabilitation of child labour. However, it has given financial assistance to various voluntary organisations to undertake projects to benefit and rehabilitate child labour. Government propose to announce a National Child Labour Policy, which will, among other things, incorporate an element of such rehabilitation.

PROF. B. RAMACHANDRA RAO: Madam Deputy Chairman, the answer given to this question puts the responsibility entirely on the State Government to implement the Act which we have passed in November last year and which came into force on 23rd December. I would like to know whether the Government has taken any concrete steps during the last few months to see whether this practice particularly of employing children below 14 year in hazardous jobs has been done away with. Even after passing the Act, million of people in match factories in Sivakasi, glass factories in Ferozabad and power mills in Biwandi, they are continuing unabated and the Bill had made no impact. I would like to know from the Minister whether any monitoring mechanism has been set up to see whether the Bill is implemented, as it is against Article 24 of the Constitution of India.

†The question was actually asked on the floor of the House by Prof. B. Ramachandra Rao.

SHRI P. A. SANGMA: Madam, as far as the implementation of the law is concerned it is the responsibility of the State Governments. But when we talk of the problem of child labour as such, it would not be correct to say that we have shifted the responsibility entirely on the shoulders of the State Governments. I must say that we in the Centre have got certain responsibilities. Towards this, certain concrete steps have been taken after the passing of the Bill. For example, the Bill contemplated constitution of a Technical Advisory Committee which we have done. I have emphasised through my letters to the State Governments that they must strictly implement this law. The Act was passed in the Winter Session of Parliament and came into effect on 23rd December. On 23rd January itself I have addressed letters to all the Chielf Ministers. The hon. Member has cited certain areas where child labour is concentrated like Ferozabad glass industry. I have the privilege of leading a delegation of Members of Parliament attached to the Consultative Committee of the Ministry of Labour where there are three hon. Members from this House, Mr. Reddy and two others, and I am happy to inform that it did make a lot of impact on the implementation and the intention of the Government in fighting the problem of child labour. We have launched a programme at Sivakasi, which the House has been already informed of, at a cost of Rs. 14 crores. We are going to launch another programme in the places mentioned, that is, Mirzapur and Badohi areas.

PROF. B. RAMACHANDRA RAO: Madam, I would like to know from the Government whether a study has been made of the children employed in different categories of hazardous jobs. I came to know that nearly 23 per cent of the child labour is employed in such hazardous occupations. About 30 per cent are employed in household and 18 per cent look after the family of the parents. And the most important thing is that the average pay of the children is around Rs. 3/- only. In Sivakasi, for instance, they are paid a daily wage ranging from Rs. 2/- to Rs. 8/-. I would like to know whether the Government has made a study of the wages paid to them and taken remedial action to stop this exploitation of the children at that young age by paying them Rs. 2/- to Rs. 3/- on an average. Thank you.

SHRI P. A. SANGMA: Madam, unfortunately, the Plan document on which we are relying for the figures of child labour in our country does not give the figures occupationwise, how many children are working in which kind of occupation. They have given the total number of children working in the country and that is also an estimated figure by the NSSO. As far as the minimum wages are concerned, we are aware that the minimum wages paid to the working children are very low and we thought that one of the reasons why child labour is flourishing is that it is cheap. Employers preferably would like to make them work more and pay them less. It looks to be cost effective for them. This aspect has been kept in mind and in the letter which I have addressed I have even suggested to the State Government that under the Minimum Wages Act, the State Governments can fix the minimum wages for the working children at par with adults. This request has been already made.

SHRI P. N. SUKUL: It is indeed a matter of great satisfaction for all of us that at long last the Government has come up with an assurance that it will soon be announcing the National Child Labour Policy. In this connection I would like to know from the honourable Minister as to by when we should expect this announcement and also what the main characteristics of this policy are going to be.

SHRI P. A. SANGMA: I hope to announce the National Child Labour Policy the day after tommorrow on the floor of the House. The main characteristics of the Policy will be three. Firstly, it will concentrate on the implementation of the law which the House had passed. Secondly, we will try to see that the various programmes under the 20-point economic programme available under the schemes are implemented in such a manner that the working children get benefit out of the programmes like IRDP, NREP, etc. And thirdly, it will be a project-based policy, as the honourable Member pointed out. We want to take up certain areas where children are concentrated. At Sivakasi we have done and we are going to do very soon at Bhadohi. We are going to cover more areas spread out practically in almost all the States where child labour is concentrated. We are also contemplating having a project-based plan of action. That will be part of the Policy.

SHRI SUNIL BASU RAY: I want to ask a supplementary. I want to know whether there is any implementing authority to implement the provisions that have been made for the benefit of the child worker.

SHRI P. A. SANGMA: Yes, there are implementing authorities. All State Governments are implementing authorities.

SHRI B. SATYANARAYAN REDDY: Millions of children below the age of fourteen are living in slums in big cities like Delhi, Bombay, Madras and Calcutta. Due to poverty and illiteracy most of these children are unemployed. Their parents are poor and naturally these children seek employment wherever it is available and the employers are exploiting their poverty and illiteracy. Not only that. Millions of children are seen even on streets begging. There are gangs employing children for begging for the benefit of the gangs. I would like to know whether the Government have evolved any policy or any scheme to see that these millions of children who are living in slums are not exploited and whether for their facility, any centres have been established in these slums to see that these poor children are not exploited and their misery is removed.

SHRI P. A. SANGMA: I have already stated that a policy has been formulated by the Government which I hope to announce the day after tomorrow.

श्री अजीत जोगी: माननीय महोदया, इस संबंध में सब से बड़ी समस्या 14 साल से कम के बच्चों के लिए जो प्रतिबंध लगा दिया गया है कि उनका शोषण नहीं होने दिया जाएगा, उसके संबंध में है। उनके पुनर्वास की जो व्यवस्था की बात अभी मंत्री जी ने बताई है, उससे ऐसा प्रतीत होता है कि उसमें केवल शासकीय स्त्रोतों से यह कोशिश करेंगे कि इन बच्चों को पुनर्वासित कर दिया जाए और उनको श्रम न करना पड़े।

मैं यह जानना चाहता हूं कि क्या जो नीति अब घोषित की जाने वाली है, उसमें यह प्रावधान भी रहेगा कि जो वालंटरी एजन्सीज हैं, अशासकीय स्त्रोत हैं, उनको भी सक्रिय रूप से इसमें सहभागी बनाया जाएगा?

SHRI P. A. SANGMA: Madam, I want to make it quite clear that there is no blanket ban as far as the employment of children below the age of 14 is concerned. What we have banned is employment of children in factories or mines or in hazardous occupations and it is in this sector that the employment of children is banned, and in others it will be regulated. So, there is no question of putting a blanket ban on the employment of children for obvious reasons which the honourable Members know. As far as the payment of wages is concerned, yes, Madam, we would like voluntary organizations to be actively involved, sincerely involved, in the process of fighting this problem.

THE DEPUTY CHAIRMAN: Yes, Mr. Nirmal Chatterjee.

SHRI NIRMAL CHATTERJEE: Madam Deputy Chairman, what are the obvious reasons for which child labour is there? Let us try to find out the obvious reasons. One obvious reason is that it is a source of very cheap labour. That is number one. The second thing is that there is no full employment in the country despite some mention of it in our Constitution. Is it possible for the Government, if not to ban, at least to decide, that no one will be employed anywhere below a particular wage? Is the Government prepared to do that? If they can do this, then even without banning they can see to it that the children are no longer involved. Then there are risks. Take the case of Sivakasi. Sivakasi is hazardous not only to children. The honourable Members know that Sivakasi is hazardous even for any research worker. The research workers are not allowed to enter the region to find out the conditions of children employed there. It is against such forces that the onslaught has to be launched and the only way to do is that in your policy you must guarantee full employment in that region. I do not know whether your new policy on child labour includes concentration of the IRDP and the NREP funds in these particular areas. That is one thing. The second thing is that you must put a ban to the effect that no one can be employed below a particular wage. If this is done, they will be forced to employ only the adults and not child labour. Even if it is a non-hazardous area, by permitting the employment of children...

THE DEPUTY CHAIRMAN: Please put your question.

SHRI NIRMAL CHATTERJEE: ...you deny them their entitlement to literacy and education.

THE DEPUTY CHAIRMAN: That is all.

SHRI NIRMAL CHATTERJEE: Would you, therefore, consider banning or restricting through economic means or by compulsion employment of child labour anywhere in the country?

SHRI P. A. SANGMA: Madam, most of these questions I have already answered. The question is whether the obvious reasons for which the children are working have been studied or not. It has been studied and, in fact, there was a Committee, a National Committee, set up to go into the problem of child labour in the country in 1979 and it was headed by an honourable Member of this House, Shri M. S. Gurupadaswamy. The policy that we have evolved and the Act that has been passed have been as a result of the Report of this Committee which had been appointed in 1979. As far as the minimum wages are concerned, I have already answered that I have impressed upon the State Governments that they should fix the minimum wages for children on par with others because the Minimum Wages Act does not bar the State Governments from fixing the minimum wages on par with others. That I have already answered. I have also stated, yes, there will be concentration of the 20-point Programme in the concentrated areas of child labour like IRDP and NREP. Now, regarding education, Madam, I have said that there will be a project to look after the working children. There we are contemplating not only regulation of the employment of children according to the Act, but we are also contemplating to give them formal or informal education. We are also contemplating to take care of their health and we are also going in for nutrition programmes. All these will be part of the policy and if the honourable Members can have patience for another two days, I will announce the policy the day after tomorrow.

THE DEPUTY CHAIRMAN: Yes, Mrs. Jayanathi Natarajan.

SHRIMATI JAYANTHI NATARAJAN: May I assure the honourable Minister through you, Madam, that we all are waiting with bated breath for the announcement of the policy on child labour the day after tomorrow?

Madam, my question has reference to what the honourable Minister just now said. He said that what has been restricted is the employment of children below 14 years in hazardous occupations, in factories and in mines. My question relates to that. Of course, many of us feel that employment of all children below 14 years, regardless of hazardous occupations or not, should be banned. If I remember correctly, when the Child Labour Bill was passed, the hon. Minister said that in view of the economy of the country, it is difficult to do so. It has to be regulated and it cannot be banned. This is one step forward. Therefore, my question is this. Even with regard to regulation that they have made about employment of children in hazardous occupations it only relates to factories and mines. If I remember correctly, the law can be applied only to factories and mines, depending on the minimum number of people working and whether they are mechanised or not. I am talking about areas of hazardous occupations in places which are not just factories. They are not strictly defined as factories, but the occupation remains hazardous. Will the Bill be able to control those establishments or areas where the occupation remains hazardous, athough it is not strictly a factory or a mine?

SHRI P. A. SANGMA: The Bill that this hon. House has passed does not confine its operation to mines and factories. It does extend to all other shops and establishments. But as far as the ban is concerned, it is confined to mines and factories. In the case of other hazardous occupations in shops and establishments other than factories, there will be regulation.

श्री जगदम्बी प्रसाद यादव : माननीय उपसभापति महोदया, मैं एक व्यवस्था का प्रश्न उठाना चाहता हूं कि हम लोग हाथ उठाते हैं या खड़े होते हैं तो चेयर की नजर को अपनी ओर आकर्षित करने के लिए। लेकिन अब हमारे सामने समस्या यह आ गयी है कि चेयर की नजर आकर्षित करें या जो नाम लिखता है, उसकी नजर आकर्षित करें ?

उपसभापति : यह सवाल नहीं है। आप सवाल पूछिए।

श्री जगदम्बी प्रसाद यादव : यह मैं आपकी नजर में लाना आवश्यक समझता हूं।

उपसभापति : आपको चांस दे दिया है। आपको एतराज नहीं होना चाहिए। आप सवाल पूछिए।

श्री जगदम्बी प्रसाद यादव : एतराज जिस पर था, वह मैंने कर दिया।

उपसभापति : आप सवाल पूछिए।

श्री जगदम्बी प्रसाद यादव : माननीय उपसभापति महोदया, मैं दो भाग में अनुपूरक पूछना चाहता हूं। एक भाग तो यह है कि बाल-श्रमिक को भेजने वाला सबसे बड़ा संस्थान है--शिक्षा संस्थान। संविधान में 14 वर्ष तक के बच्चे के लिए अनिवार्य शिक्षा है, लेकिन आज तक हम शिक्षा को अनिवार्य नहीं कर सके। जो बच्चे स्कूल जाते भी हैं। 14 वर्ष के पहले ही स्कूल से लौट आते हैं। तो जब तक हम स्कूल में 14 वर्ष तक रोक रखने की व्यवस्था आर्थिक दृष्टि से, भोजन की दृष्टि से, कपड़े की दृष्टि से नहीं डालते तब तक बाल-श्रमिक की संख्या, जो अभी 17.58 मिलियन है, यह बढ़ते ही जायगी, घटेगी नहीं। चूंकि हमारे मंत्री जी ने कहा है कि राष्ट्रीय बाल-श्रम नीति बनाने जा रहे हैं, उसमें यह जो आधारभूत है, बाल-श्रमिक स्कूल छोड़कर बनाए जाते हैं, उसको रोकने की क्या व्यवस्था होगी ? दूसरा भाग यह है कि बाल-श्रमिक के ऊपर

जो कानून बनाते हैं, वह कानून कुछ अंश तक जहां पर फैक्टरी हैं, चाहे वह फिराजाबाद का हो या कहीं और हो, वहां लागू करते हैं। लेकिन आज होटलों में, घरों में संपूर्ण देश में यह व्यवस्था है, इन पर आप किस प्रकार लागू करेंगे, इसकी किस प्रकार की व्यवस्था करेंगे? जिससे बाल-श्रमिकों को कुछ राहत मिले?

SHRI P. A. SANGMA: Madam, I have already answered the first part of the hon. Member's question. The second part is very important. The point that the hon. Member has made is that in areas where child labour is concentrated, the implementation of the law is easy. But in areas such as restaurants and hotels where child labour is spread, it is certainly a more difficult job than in areas where the child labour is concentrated. What we have thought is this. To begin with, we will launch our programmes of implementation of law as well as of welfare in areas where child labour is concentrated. Once we are able to make the programme a success there, we will spread and go to other areas where child labour is prevalent but not concentrated.

THE DEPUTY CHAIRMAN: Now the question is that we have already consumed more than 20 minutes on this question and there are about 15 Members who want to ask supplementaries. This will consume the whole Question Hour. (*Interruptions*) Please sit down. Now, Mr. Aladi Aruna.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: Madam, the parents who allow their children to do work are quite aware of the hazards in child labour and they are aware of the law also. In spite of this awareness they are sending their children to work only because of poverty and misery in their family. So, I would like to know from the hon. Minister whether this Government will come forward to identify those families which are wholly in need of sending their children to do work and extend financial help to those families.

SHRI P. A. SANGMA: Madam, it may not be entirely correct to say that children are working because of poverty and misery. It is one of the main reasons but not the entire reason because in our experiment at Shivakasi from which the hon. Member comes, we thought that if we are able to give an alternative source of income to a member of a family who is an adult, maybe the parents will not send their children to work. So, we started a printing press as a part of the project where, as I have said, either the father or the mother of the family should be given employment and they should be told not to send their children for work. We have failed in this experiment because after the father or the mother getting the employment, they still continue to send their children to work. So, I think, it is a question of additional income and not entirely poverty or misery. But it is a big problem. We have to go and find how we progress.

THE DEPUTY CHAIRMAN: Now only two Lady Members—Smt. Renuka Chowdhury.

SHRI V. GOPALSAMY: What about us? I raised my hand. (*Interruptions*)

THE DEPUTY CHAIRMAN: We cannot go on like that. (*Interruptions*)

SHRIMATI RENUKA CHOWDHURY: Madam, you all agree with me that we are the larger contributing factor since we bear the burden more. So, it is naturally an important factor with us and they are the sons of mothers, and so we shall proceed. Madam, I want to ask the hon. Minister two questions. No. 1: Have we got an enforcement agency Statewise? (*Interruptions*) Have we got the enforcement agencies from the Centre? Have we asked the State

Governments to have enforcement agencies which go and investigate whether the Child Labour Act has been implemented in toto? Secondly, have they examined the peripheral reasons? It is not enough to isolate child labour on its own and justify child labour by saying an additional income or not an additional income or whatever reasoning you have. But have you superimposed it on the larger national problem today that we have? Our family planning structure is failing essentially because we are still providing clauses for children where they can go and work. Additional mouth will need additional income. Have you viewed in this perspective irrespective of what it means to today's child if we not give? The hon. Minister spoke about giving nutrition and education. He made a statement. It is for children below 14 because the Department of Women and Child Welfare both at the Centre and in the States are not concentrating on adolescent children. So, you may justify this programme. So, I want to know from the hon. Minister the Statewise statistical accounts of all this.

SHRI P. A. SANGMA: Madam, State Governments do have enforcement machinery. Perhaps, they need to be strengthened. And I have no quarrel with the hon. Member. (*Interruptions*)

SHRIMATI RENUKA CHOUDHURY: How many cases of offenders have you registered?

SHRI P. A. SANGMA: The second point which the hon. Members has made is a very valid point. The problem of child labour or the problem of employment as such is not a question of employment and unemployment. The problem of unemployment cannot be solved merely by trying to inject more money or by trying to create more employment. I think side by side we will have to reduce our population. It is a very valid point and the hon. Member is aware of that and that is precisely the reason why we are giving so much of priority to the family planning programme. (*Interruptions*).

SHRI VITHALRAO MADHAVRAO JADHAV: May I ask through you, Madam, whether the Government is aware that there are 20 per cent children in the urban areas and 80 per cent children in the rural areas who are engaged as child labourers? May I again ask through you, Madam, what steps the Government are taking to put an end to this practice of child labour and also see that lesser and lesser children are engaged as labourers from rural areas and also what steps are being taken to lessen the poverty in the rural areas?

SHRI P. A. SANGMA: I have already answered this question.

THE DEUTY CHAIRMAN: Yes, you have answered. (*Interruptions*) Yes, Kumari Sayeeda Khatun, this will be the last question.

SHRI V. GOALSAMY: Madam, my name should be called. (Interruptions)

कुमारी सईदा खातून: मैं मंत्री महोदय से यह जानना चाहती हूं कि बाल श्रम अधिनियम बनने के बाद से जिन बच्चों के काम बन्द हो गए हैं उनको पौष्टिक आहार देने के लिए, उनकी शिक्षा के लिए, उनके कपड़ों के लिए, उनको जो सहूलियतें सरकार द्वारा दी जानी चाहिए क्या इसको देखने के लिए किस समिति का गठन किया गया है जो यह जांच करे कि उन बच्चों को सही रूप से शासन द्वारा उपलब्ध सुविधाएं सही रूप से मिल रही है या नहीं ?

SHRI P. A. SANGMA: Madam, so far we have launched only one programme that is in Sivakasi, at an estimated cost of Rs. 14 crores. The second project is at Mirzapur in UP and actually it was supposed to have been launched this month itself but unfortunately the Minister concerned was away. He was not in India and that is why we had to postpone it.

It may be only part of a total project at a cost of about rupees one point some crores. But we are going to include more projects. The Government has decided to open more projects, which I will announce day after tomorrow.

African Cultural Festival held in Delhi

*203. SHRIMATI SUDHA VIJAY JOSHI: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether an African Cultural Festival was held in Delhi recently;

(b) if so, what are the details of the African countries represented in that Festival and the details of the programme shown there;

(c) whether it is proposed to organise such Festivals in other parts of the country also; and

(d) if so, what are the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI EDUARDO FALEIRO): (a) Yes, from 25th to 28th May, 1987.

(b) Six African counties were represented at the Festival. They were Senegal, Ghana, Ethopia, Mauritius, Nigeria and Burkina Faso. The details of the programme shown are:

(i) 15-member Sira Badral National Ballet of Senegal presented item highlighting ritual and traditional items.

(ii) 10-member Ghana Dance Ensemble had a repertaoire based on ceremonial events in Africa.

(iii) A 9-member cultural troupe from Ethiopia presented folk dances accompanied by traditional musical instruments.

(iv) A 10-member Mo-Mam-Twa group form Mauritius presented traditional saga, modern interpretation and African Music.

(v) The 6-member cultural troupe from Burkina Faso presented percussion items alongwith song and dance.

(vi) A 4-member group form Nigeria led by Ms. Oneyka Onwenu sand songs in English and Ebo.

(vii) A 16-member group of siddhis of African Origin from Gujarat also presented items at the Festival.

(c) and (d) Such festivals have already been organised in other parts of the country. The African Festival was held in Calcutta from 29th to 31st May, in Bangalore on 2nd and 3rd June and in Bombay from 5th to 7th June, 1987.

SHRIMATI SUDHA VIJAY JOSHI: Madam, Africa is having its own very peculiar culture. African cultural events are very interesting. But those events are not very much known to other parts of the world I am happy that such festivals have already been organised in Calcutta, Bangalore and in Bombay. I am sure if such festivals are organised people will get an opportunity to understand the African culture and social life better and can appreciate their music and dances. I would like to know from the Hon. Minister who are the organisers of this Festival and what is India's contribution in organising this festival.

SHRI EDUARDO FALEIRO: Madam Deputy Chairman, I appreciate the feelings expressed by the hon. Member, which, I am sure, are the feelings of the Parliament as a whole and the Government follows the same direction and the same perspective as the Hon. Member has outlined, namely, that we must give greater encouragement to cultural events of countries other than the western countries, which we have conceptualised in the last 100 years as the only universal culture, which is not correct. Now, Madam, this festival was organised by the Indian Council of Cultural Relations from our Ministry